

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
K. OKADA : Group Art Unit: 3714
Serial No. 10/686,567 : Examiner: Pezzuto, Robert
Filed: October 17, 2003 :
For: GAMING MACHINE, SERVER, AND PROGRAM

AFTER FINAL AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 23, 2007

Sir:

This After Final Amendment is filed further to the Request for Reconsideration filed on September 24, 2007 and the Advisory Action issued October 4, 2007, and in further response to the final Official Action dated July 23, 2007, the time for response to which is up to and including October 23, 2007. Please amend the above-identified application as listed below and as set forth on the following pages:

Amendments to the Claims

Remarks are included following the amendments

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A first gaming machine for transmitting/ and receiving data to/ and from a server, comprising:
 - a specification value setting device ~~for setting~~that sets at least one specification value as a control condition for game control;
 - a transmitting device ~~for transmitting~~that transmits data of a game result to the server;
 - a gaming machine determining device ~~for determining~~that determines a second gaming machine operated by a co-player;
 - a total result data receiving device ~~for receiving~~that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;
 - a specification value determining device ~~for determining~~that determines a specification value based on the data of the total game result received by the total result data receiving device; and
 - a specification value renewing device ~~for renewing~~that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.
2. (Previously Presented) The first gaming machine according to claim 1, wherein the gaming machine determining device determines a plurality of gaming machines including the second gaming machine.
3. (Previously Presented) The first gaming machine according to claim 2, wherein the total result data receiving device receives from the server data of a total game result and wherein the total game result is achieved by the plurality of

gaming machines including the first and the second gaming machines.

4. (Currently Amended) A first gaming machine for transmitting/ and receiving data to/ and from a second gaming machine operated by a co-player, comprising:

- a specification value setting device ~~for setting~~ that sets at least one specification value as a control condition for game control;

- a gaming machine determining device ~~for determining~~ that determines the second gaming machine;

- a receiving device ~~for receiving~~ that receives from the second gaming machine data of a game result achieved by the second gaming machine;

- a game result totalizing device ~~for totalizing~~ that totalizes a game result achieved by the first gaming machine and the game result achieved by the second gaming machine based on the data of the game result of the second gaming machine received by the receiving device so as to calculate a total result;

- a specification value determining device ~~for determining~~ that determines a specification value based on the total result calculated by the game result totalizing device; and

- a specification value renewing device ~~for renewing~~ that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.

5. (Previously Presented) The first gaming machine according to claim 4, wherein the gaming machine determining device determines a plurality of gaming machines operated by co-players including the second gaming machine and wherein the first gaming machine transmits and receives data to and from the plurality of gaming machines.

6. (Previously Presented) The first gaming machine according to claim 5, wherein the receiving device receives data of game results achieved by the plurality of gaming machines including the second gaming machine and wherein

the game result totalizing device totalizes a game result achieved by the first gaming machine and the game results achieved by the plurality of gaming machines including the second gaming machine based on the data of the game results of the plurality of gaming machines received by the receiving device so as to calculate the total result.

7. (Currently Amended) The first gaming machine according to claim 1, further comprising a gaming machine selecting device ~~for selecting~~that selects the second gaming machine based on an operation by a game player, wherein the gaming machine determining device determines the second gaming machine based on a selection result by the gaming machine selecting device.

8. (Currently Amended) A server for transmitting/ and receiving data to/ and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising:

a specification value setting device ~~for setting~~that sets at least one specification value as a control condition for game control with the first gaming machine;

a game result data receiving device ~~for receiving~~that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;

a game result totalizing device ~~for totalizing~~that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device;

a specification value determining device ~~for determining~~that determines a specification value based on the total result calculated by the game result totalizing device; and

a determined specification value transmitting device ~~for transmitting~~that

transmits the specification value determined by the specification value
determining device to the first gaming machine and the second gaming machine.

9. (Original) The server according to claim 8, wherein the server transmits and receives data to and from a plurality of gaming machines including the first and the second gaming machines.

10. (Previously Presented) The server according to claim 9, wherein the game result data receiving device receives data of game results transmitted from the plurality of gaming machines including the first and the second gaming machines.

11. (Currently Amended) A program stored on media for directing a computer of a first gaming machine ~~for~~ capable of transmitting/ and receiving data ~~to/ and from~~ a server to perform:

setting at least one specification value as a control condition for game control with the first gaming machine;

transmitting data of a game result to the server;

determining a second gaming machine operated by a co-player;

receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;

determining a specification value based on the data of the total result;
and

renewing to replace the set specification value with the determined specification value.

12. (Previously Presented) The program according to claim 11, wherein the computer of the first gaming machine performs determining at least one gaming machine operated by another co-player other than the second gaming machine.

13. (Original) The program according to claim 12, wherein the computer of the first gaming machine performs receiving from the server data of the total result totalizing a game result achieved by the at least one gaming machine other than the second gaming machine as well as the game results achieved by the first and the second gaming machines.

14. (Original) The first gaming machine according to claim 1, wherein the specification value comprises a big-hit shift probability, a payout, a payout rate, or a combination thereof.

15. (Currently Amended) A method of renewing at least one specification value for a first gaming machine ~~for capable of transmitting/ and receiving data to/ and~~ from a server, comprising:

- setting a first specification value as a control condition for game control with the first gaming machine;

- determining a second gaming machine operated by a co-player;

- performing a game;

- transmitting data of a game result to the server;

- receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;

- determining a second specification value based on the data of the total result; and

- renewing the specification value from the first specification value to the second specification value.

16. (Previously Presented) A method for setting a value associated with an award obtainable based on a game result from subsequent play of a game on a first gaming machine, comprising:

determining a total game result based on a first game result from prior play of a game on the first gaming machine and a second game result from prior play of a game on a second gaming machine; and
setting the value in accordance with the determined total game result.

17. (Previously Presented) The method according to 16, wherein:

the value associated with the obtainable award is one of (i) a probability associated with an obtainable big prize payout, (ii) an amount associated with an obtainable regular payout based on a game result from subsequent play of a game on the first gaming machine and a game result from subsequent play of a game on the second gaming machine, and (iii) a rate associated with the obtainable regular payout.

18. (Previously Presented) The method according to 16, wherein:

the determining of the total game result includes summing the first result and the second result.

19. (Previously Presented) The method according to 16, wherein:

the prior played game on the first gaming machine and the prior played game on the second gaming machine are a same type game; and

the value is set for subsequent play of the same type game on the first gaming machine.

20. (Previously Presented) The method according to 16, wherein:

setting the value includes modifying a prior value associated with the award obtainable based on the game result from the prior play of the game on the first gaming machine.

21. (Previously Presented) The method according to 20, wherein:

the prior value is modified to be (i) less favorable to a player of the first gaming machine, if an amount of the determined total game result is less than a

threshold amount, and (ii) more favorable to the player of the first gaming machine, if the amount of the determined total game result is more than the threshold amount.

22. (Previously Presented) The method according to 21, wherein:

the threshold amount is a highest amount of a range of amounts extending from a lowest amount of the range to the highest amount; and

the prior value is modified to be less favorable to the player of the first gaming machine, if the amount of the determined total game result is within the range of amounts.

23. (Previously Presented) The method according to 16, further comprising:

selecting the second gaming machine prior to determining the total game result.

24. (Previously Presented) The method according to 23, wherein:

the second gaming machine is selected by the first gaming machine in accordance with a predefined selection criteria.

25. (Previously Presented) The method according to 23, further comprising:

accepting, by a player of the second gaming machine, the selection of the second gaming machine by a player of the first gaming machine, prior to determining the total game result;

wherein the determining is performed based on the player of the second gaming machine accepting the selection of the second gaming machine.

26. (Previously Presented) The method according to 16, wherein the value is a first value, and further comprising:

setting a second value associated with an award obtainable based on a game result from subsequent play of a game on the second gaming machine, in accordance with the determined total game result.

27. (Previously Presented) The method according to 16, further comprising:
storing a table including predefined different values associated with the award
obtainable based on different game results from play of a game on the first
gaming machine, for different total game results;

wherein the value is set also in accordance with the stored table.

REMARKS

This after final amendment is filed pursuant to a telephonic communication with SPE Pezzuto on this same date, and with the understanding that the amendment will be entered and will facilitate a final disposition of this application.

Claims 1-27 are presented in this application. Claims 1, 4, 7, 8, 11, and 15 are amended herein.

Claims 1, 4, 8, 11, 15 and 16 are independent.

In the final Official Action, claims 16-27 stand restricted and withdrawn.

The restriction and withdrawal are respectfully traversed on the grounds set forth in the Request for Reconsideration filed on September 24, 2007 and reasserted herein by reference.

In the final Official Action, claims 1-27 stand objected to on informality grounds. Claims 1, 4, 7, 8, 11, and 15 are amended to address the concern noted, another concern noted by SPE Pezzuto in the above referenced telephonic communication, and to also clarify certain other recitals. It is respectfully requested that the claim amendments be entered, and that the objection be reconsidered and withdrawn in view of the claim amendments.

Claims 1-15 stand rejected under 35 U.S.C. 103(a), as obvious over Walker (US 6,110,041). The rejection is respectfully traversed on the grounds set forth in the Request for Reconsideration filed on September 24, 2007 and reasserted herein by reference.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 1227.43224X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Alfred A. Stadnicki/

Alfred A. Stadnicki
Registration No. 30,226

1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
Tel.: 703-312-6600
Fax.: 703-312-6666

AAS/kbl